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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

Confirmation No.: 5773

Kouichi TADA et al.

Art Unit: 2627

Application No.: 10/660,773

Examiner: Thang V. TRAN

Filed: September 12, 2003

Attorney Docket No.: 100341-00046

For: DISK KIND IDENTIFYING METHOD AND DISK APPARATUS

**RESPONSE TO FINAL REJECTION UNDER 37 C.F.R. § 1.116**

**MAIL STOP AF**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

November 8, 2007

Sir:

The Office Action dated August 22, 2007, has been received and carefully noted. The following remarks are being submitted as a full and complete response thereto. Reconsideration of the rejection of the claims is respectfully requested. Claims 1-2 are pending in this Application.

The Office Action rejects claims 1 and 2 under 35 USC § 103(a) as being obvious over Kumon et al. (JP 2000-322742). The rejection is respectfully traversed.

In particular, the above-identified application claims a disk kind identifying method that identifies a DVD-RW or a DVD+RW, the method including the steps of detecting a wobble signal recorded on a recording surface of a disk, determining whether a cycle of the detected wobble signal is 186 times or 32 times as long as a data cycle by comparing the cycle of the detected wobble signal to a cycle or period of the reproduced signal, and identifying, when the cycle of the wobble signal is 32 times as